

### **REMARKS**

Claims 1-46 are pending in this application. Claims 1-14 and claims 33-46 have been withdrawn pending rejoinder should subsequent linking claims be allowed. Claims 15-32 stand rejected. Claims 9, 15, 16, 17, 28, and 41 have been amended herein. All amendments are made without prejudice or disclaimer.

These amendments find support in the specification and the previous claims. Specifically, claims 9 and 41 have been amended to correct an obvious typographical error by changing the term "flouropolymers" to "fluoropolymers." Claims 15, 16, and 17 have been amended to remove the indicia lettering as a matter of form, and claim 17 has been amended to recite the corresponding step in accordance. Further, claims 15, 16, and 28, have been amended to recite methods of forming polysaccharide agitating media and compositions comprising such media. Support for these amendments is found in the claims and the specification, such as on page 6, paragraph [0024] and on page 9, paragraphs [0030] and [0031]. Thus, it is submitted that no new matter has been added as a result of the amendments to the claims. Applicants respectfully traverse the rejections for the reasons expressed herein below.

Attorney for Applicants acknowledges with appreciation the telephonic interview with the Examiner conducted on July 22, 2005, wherein it was clarified that the present invention is directed to "agitating medium" as supported by the specification and which distinguished it from the cited art. As discussed at the interview, the addition of "agitating medium" may place the claims in condition for allowance. However, as the amendment presented a new issue, it was agreed to have it considered under a

Request for Continued Examination, as submitted herewith. Applicants appreciate the consideration of this amendment in continued examination.

A. Rejection of claims 16, 19, 21, 23, 25, 27, and 32 under 35 U.S.C. § 112, second paragraph

Applicants note that the prior office action did not discuss claims 16, 19, 21, 23, 25, 27, and 32 which were rejected under 35 U.S.C. § 112, second paragraph, as assertedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. In an amendment submitted on April 21, 2005 Applicants amended the claims to remove the term "glass-like." Similarly, claim 32 was amended to specifically recite as a Markush group other products for treating substances, thus rendering all of the claims definite. As such, Applicants respectfully request that the Examiner note if this rejection has been withdrawn. It is further submitted that this amendment was made to correct matters of form only, and should not be construed as affecting the scope or equivalency of the claims.

B. Rejection of claims 15-32 and claims 15, 17, 18, 20, 22, 24, 26, and 28-32 under 35 U.S.C. § 103(a)

The Examiner has rejected claims 15-32 under 35 U.S.C. § 103(a) as assertedly being obvious in light of United States Patent No. 6,159,257 to Koutlakis *et al.* (hereinafter, the '257 patent). The Examiner further rejected claims 15, 17, 18, 20, 22,

24, 26, and 28-32 under 35 U.S.C. § 103(a) for obviousness over United States Patent No. 5,367,068 to Lane *et al.* (hereinafter, the '068 patent).

As an initial matter, the independent claims have been amended to recite polysaccharide fragments which form an "agitating media," thus linking the claimed particle size with its application. As defined by the specification on page 6, paragraph [0024], by "'agitating' is meant imparting motion... to the glass-like polysaccharide, such as, for example, by rotational mixing or tumbling, but does not include imparting highly pressurized or accelerated forms of motion to the glass-like polysaccharide, such as for example, sand blasting." As discussed in prior amendments, the '257 and '068 patents describe types of blasting media and not agitating media. Because blasting media must be small enough to avoid penetrating, chipping, denting, or otherwise deforming the substrate being blasted, the above references do not teach or otherwise suggest appropriate size ranges for agitating media to be used in non-blasting systems. Moreover, use of a larger size media such as that claimed in the pending application would result in deforming the substrate if used in the ballistic manner as described in the '257 and '068 patents. Thus, in light of these amendments that link the application of the particle with the size of the particle, Applicants respectfully request that the rejections under 35 U.S.C. § 103(a) be withdrawn.

**CONCLUSION**

For at least the reasons discussed above, Applicants respectfully request reconsideration of the rejections of the claims. Applicants believe that these claims define over the prior art of record and are in proper form for allowance. In accordance, Applicants respectfully request allowance of claims 15-19.

If the undersigned can be of assistance to the Examiner regarding any of the above, please contact the undersigned at the number set forth below.

Respectfully submitted,

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